

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT  
OF PENNSYLVANIA

WRS, INC., d/b/a WRS MOTION  
PICTURE LABORATORIES, a  
corporation.

CIVIL ACTION

No. 00-2041

Plaintiff,

vs.

PLAZA ENTERTAINMENT, INC., a  
corporation, ERIC PARKINSON, an  
individual, CHARLES von BERNUTH, an  
individual and JOHN HERKLOTZ, an individual.

Defendants.

**ORDER OF COURT**

AND NOW, this 23<sup>rd</sup> day of March, 2006, this Court having

conducted an Initial Settlement Conference and the Plaintiff, Defendants, John Herklotz  
and Charles von Bernuth, as suggested by the Court, having agreed to retain an  
accountant to review the records of WRS, Inc., with respect to the issue of damages, it is  
hereby ORDERED as follows:

1. Plaintiff and Defendants, John Herklotz and Charles von Bernuth, shall  
retain Thomas Claassen of Schneider Downs as a forensic accountant to review the  
records of WRS, Inc. pertaining to the account of Plaza Entertainment, Inc. to provide a  
preliminary advisory opinion as to the amount of the outstanding balance on the Plaza  
Account, if any.
2. Plaintiff and Defendants, John Herklotz and Charles von Bernuth, shall  
each pay one-third of the cost of the services as required by the retention agreement.
3. Any party may use the report of the forensic accountant retained hereby in  
their case.

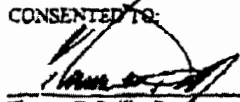
4. No party shall be bound by the report of the forensic accountant and the parties' Agreement does not preclude any party from retaining a separate forensic accountant.

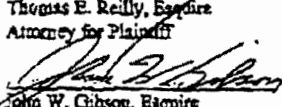
5. All communications with the expert will be joint. The parties agree not to communicate with the accountant ex parte.

6. All parties agree to provide reasonable access to any documents, records, systems, information or persons deemed necessary for the investigation.

BY THE COURT:

CONSENTED TO:

  
Thomas E. Reilly, Esquire  
Attorney for Plaintiff

  
John W. Gibson, Esquire  
Attorney for Charles von Bernuth

  
John P. Sternfeld, Esquire  
Attorney for John Herklotz

TOTAL P.03

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